



The State of New Hampshire
Department of Environmental Services
Waste Management Council

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DES Website: www.des.nh.gov - Council Website: www.des.state.nh.us/councils/



April 22, 2004

Gregory H. Smith, Esq.
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15 North Main Street
Concord, NH 03301-4945

Jennifer J. Patterson, Esq.
NH Department of Justice
33 Capitol Street
Concord, NH 03301-6397

RE: Docket No. 04-10 WMC – 5N Associates Appeal

Dear Attorneys Smith and Patterson:

On April 22, 2004, the NH Waste Management Council ("the Council") accepted 5N Associates Notice of Appeal.

In conformance with Env-WMC 204.10, the Council has scheduled the appeal hearing in this matter for June 24, 2004. Please find enclosed an Appeal Hearing Notice.

It was brought to the Council's attention at its April 22, 2004 meeting that the parties in this appeal have entered into settlement discussions. The Council requires the parties file a written status report relative to settlement discussions with the Council on or before May 17, 2004.

Please note that any person filing any document with the Council in conjunction with an appeal is required to file one original and twenty copies with the Council, as well as a copy to all parties who have filed an appearance with the Council, and to any person who has a motion to intervene pending before the Council. When a party has appeared by a representative, service shall be upon the representative. Every document filed with the Council, and required to be served upon the parties to an appeal, shall be accompanied by a certificate of service, signed by the person making service, attesting to the method and date of service, and the persons served.

If you have any questions, please contact me at (603) 271-6072 or by e-mail at appeals@des.state.nh.us.

Sincerely,

Michael Sclafani, Appeals Clerk
NH Waste Management Council

cc: NH Waste Management Council
Michael P. Nolin, Commissioner, DES
Anthony P. Giunta, P.G., Director, Waste Management Division
Gretchen R. Hamel, Administrator, DES Legal Unit
John M. Regan, DES WMD